

REMARKS

Claim 40 is amended. Claims 37-38 and 42-49 are cancelled. New claims 54-63 are added. Claims 40, 50-51 and 54-63 are pending in the application.

Claim 40 is amended to correct a typographical error. Applicant acknowledges the Examiner's indicated allowability of the subject matter of claims 40 and 50-51.

Claims 37-38 and 42-49 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over various cited combinations of "Development of a submicrometer-grained microstructure in aluminum 6061 using equal channel angular extrusion"; Metals Handbook; Park, U.S. Patent No. 4,589,932; Dunlop, U.S. Patent No. 5,590,389 and "Stress-Relief Heat Treating of Steel". Without admission as to the propriety of the Examiner's rejection, each of claims 37-38 and 42-49 are cancelled.

New claims 54-63 do not add "new matter" to the application since each is fully supported by the specification as originally filed. Each of claims 54-63 are based upon previous claims 37-38 and 42-49. Independent claims 54 and 63 each additionally recite forging of material to produce a disk, removing of portions of the disk to produce a billet and subjecting the billet to Equal Channel Angular Extrusion. The subject matter of such claims is additionally supported by the specification at, for example, page 7, lines 16-23. Since each of independent claims 54 and 63 recite subject matter indicated by the Examiner to be allowable (present Action at page 7), independent claims 54 and 63 are allowable over the art of record.

Dependent claims 55-62 are allowable for at least the reason that they depend from allowable base claim 54.

For the reasons discussed above, claims 40, 50-51 and 54-63 are allowable.

Accordingly, the application is in condition for immediate allowance and such allowance is respectfully requested in the Examiner's next Action.

Respectfully submitted,

Dated: August 20, 2005 By: Jennifer J. Taylor
Jennifer J. Taylor, Ph.D.
Reg. No. 48,711